

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

WILFORD PHELPS,	)	
	)	CASE NO. 1:21-CV-2295
Plaintiff,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
COMMISSIONER OF SOCIAL	)	
SECURITY ADMINISTRATION,	)	
	)	<b><u>MEMORANDUM OF OPINION AND</u></b>
	)	<b><u>ORDER</u></b>
Defendant.	)	[Regarding <a href="#">ECF No. 11</a> ]

On November 15, 2022, the assigned magistrate judge issued a Report and Recommendation suggesting that the Commissioner's decision denying Plaintiffs application for Supplemental Security Income be reversed and the case be remanded for additional proceedings consistent with this recommendation. *See* [ECF No. 11](#).

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a Report and Recommendation within fourteen days of service. *Id.*; [Fed. R. Civ. Pro. 72\(b\)\(2\)](#). Failure to object within this time waives a party's right to appeal the district court's judgment. [\*Thomas v. Arn\*, 474 U.S. 140, 145 \(1985\)](#); [\*United States v. Walters\*, 638 F.2d 947, 949-50 \(6th Cir. 1981\)](#). Absent objection, a district court may adopt a magistrate judge's report without review. *See* [\*Thomas\*, 474 U.S. at 149](#).

In the instant case, objections to the Report and Recommendation were due by November 29, 2022. No party has not filed an Objection, and Defendant's Response indicated that there

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would be no objections filed. See [ECF No. 12](#). Accordingly, the Court adopts the Report and Recommendation. [ECF No. 11](#). The Commissioner's decision denying Supplemental Security Income is reversed and the matter is remanded for proceedings consistent with the recommendation.

IT IS SO ORDERED.

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January 18, 2023

Date

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*/s/ Benita Y. Pearson*

Benita Y. Pearson  
United States District Judge